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PLANNING COMMISSION
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**MINUTES
NOVEMBER 20, 2013**

The meeting was called to order by Chairman Arnold Finaldi Jr. at 7:30 PM.

Present were Fil Cerminara, Arnold Finaldi Jr., Helen Hoffstaetter and Alternates Robert Chiochio and Michael Ferguson. Also present was Associate Planner Jennifer Emminger.

Absent was Joel Urice.

Chairman Finaldi seated Mr. Chiochio for the vacancy created by Mr. Keller's resignation and asked Mr. Ferguson to take Mr. Urice's place for the items on tonight's agenda. He added that this evening is Mr. Ferguson's last meeting and he wished him well in his new position on the Board of Education.

Chairman Finaldi said the following application has been withdrawn:

A & J Construction – Application for Special Exception/Site Plan Approval to permit “Outdoor Storage of Construction Equipment & Building Materials; and Screening of Earth Materials”, 50–56 Payne Rd. (#M12009) in the IG–80 Zone – SE #731.

PUBLIC HEARING

RonJohn's Pit Stop/John Lasczak – Application for Special Exception/Site Plan Approval for uses generating over 500 vehicle trips per day (Existing Gas Station/Proposed Convenience Store) in the CN–20 Zone – 58 Padanaram Rd. (#H09076) – SE #733.

Chairman Finaldi read the legal notice. Michael Frisbie, Hunter Development is the contract purchaser and Mark Smith, a civil engineer from To Design spoke in favor of this. Mr. Smith said the staff report is very accurate and covers a lot of what he was going to present. This is an existing one story block two bay service station with five old style gasoline dispensers. This site is in need of renovations; starting with the removal of the old tanks. This proposal is to convert this into a 1,150 sq.ft. convenience market within same footprint. The pump islands will be slid north to allow parking near the building and a canopy will be installed over the pumps. There currently is a covered area behind the building which will be removed and cleaned out. They are within a wetland area because they are near Padanaram Brook. They had to get a variance to the front setback in order to have the canopy. The location of the

canopy was limited by a City water easement that runs through the property. They want to remove the sprawling curb cuts and consolidate them into two regular size cuts. They also got a variance to eliminate the landscape strip along the front property line because there is no room for it. They will be connecting to the sewer and they have an existing water service. The storm drainage currently runs off the back into the brook. The new plan will be adding impervious surface, so they will be adding stormwater treatment where there currently is none. He showed the Commission some photos of the existing site and a rendering of new building. He said they will be stripping it down to the block and put stone base on it, with cement clapboard. He then said the applicant has a problem with staff wanting a sidewalk installed along the frontage. They feel they do not have enough room for it. He said the retaining wall is proposed because they are in a flood zone and they didn't want to grade any further toward the wetlands, but they also had to retain the distance from the flood zone. Ms. Hoffstaetter asked if the detention system would be able to handle a petro spill. Mr. Smith said the modern systems are very good; the stormwater treatment system is designed to capture floatables like petro and sort them out. He described a spill kit that is used in most gas stations which allows capture before anything gets into the stormwater treatment. He added that the new pumps are designed to prevent spills; they have underground seals built in so if the dispenser breaks or someone drives off with a hose, there will not be a leak, it will seal off on both ends. Chairman Finaldi asked how old the existing tanks are. Mr. Smith said they are over thirty years old, and are kind of a hodge-podge due to the way they were added and the fact that they also sold diesel. Mr. Smith said some of the components are getting near the end of their life expectancy and need to be replaced.

Chairman Finaldi said that in his experience traveling daily to the High School, he has found that this road gets backed up all the way to the site until the lunch hour. So what time of day does the traffic clear up or stop. Mr. Smith said the traffic report was prepared to assess if there would be more trips generated with an 1,100 sq.ft. store or two service bays. This new plan is a reduction in the number of pumps. A convenience use like this does not demand people go out of their way, it is just a convenience stop. Mike Frisbie then said it does not back up like that any more and with the new curb cuts it should be more controlled. Mrs. Emminger said regarding the sidewalks, although there are not many on Padanaram, but they have to start somewhere. The City asked that applicants work with staff regarding this issue because they are in favor of sidewalks and will not waiver on that. Mrs. Emminger said all the Department comments are in and they are waiting for the applicant to submit revised plans. Ms. Hoffstaetter made a motion to continue the public hearing until the next meeting. Mr. Ferguson seconded the motion and it was passed unanimously.

CONTINUATION OF PUBLIC HEARING

CT Institute for Communities Inc. – Application for Revised Special Exception/Revised Site Plan (“120 Main St.”) to permit (1) Apartment House/Medical & Business Offices/Retail, (2) a combination of uses which will generate over 500 vehicle trips per day, and (3) shared parking in the C-CBD Zone – Main St. & Boughton St. (#114135 & #114437). Shared parking on lots #114379, #114380, #114381, #114382, #114383, #114384, #114385, #114133 & #114134 with access over #114378 – SE #713.

Attorney Fran Collins said he would summarize where they are on the open items. At the previous meeting, they discussed the possible installation of a DOT signal similar to the WCSU one. They still need to establish the fire flow calculations which are generally done after the approval is granted during the permit process. They still need Council approval for the extensions, and the details will be worked out at that time. They have the Fire Marshal's approval and the concerns they had have been addressed by Mike Mazzucco. He added that regarding the sewer, they had done comparisons with other projects in the City. The result was that he had submitted a letter today stating that the applicant would stick with the previously approved sewer use even if it meant changing the mix of units. They would be working with the Engineering Dept. on this. The last issue was that in response to the letter received from Nolan Enterprises, they had met with Dr. Jim Nolan and agreed to four items including the installation of a fence along the northerly and southerly border of the site.

Chairman Finaldi asked if there was anyone to speak in opposition to this application and one person came forward.

Robert Bailey, 9 Cross St., said he is not really against it, he just feels it is too big. He suggested they either scale back the size of the buildings or eliminate one of the uses.

Chairman Finaldi asked Mrs. Emminger to brief the Commission as to the timetable for this application. Mrs. Emminger said they must close the hearing tonight. They received the Engineering letter tonight and they have the letter from Attorney Collins agreeing to the sewer limitation. They are still working with the Engineering Dept. on the sewer capacity issue but they have all of the Departmental reports. Chairman Finaldi pointed out that they could condition the approval if it is necessary. Mr. Ferguson made a motion to close the public hearing. Ms. Hoffstaetter seconded the motion and it was passed unanimously.

REFERRALS

8-24 Referral/November 2013 City Council Agenda Item #10 – Request for Lease of City Land for a Parking Lot – Dr. Anton Fry, 84 Hospital Ave.

Mrs. Emminger said they should have received a report on this matter from Mrs. Calitro. The area is located in between Dr. Fry's medical office and Kaplanis field. There was a similar request in May 2008 which was denied by the Council. This Commission had given that request a negative recommendation for the reason that it would only be beneficial to the private medical office. The Department is not in favor of this request because they believe that school property should be retained for school uses. Chairman Finaldi said this Commission generally tries to avoid setting any precedence. Ms. Hoffstaetter asked where the previous request was for. Mrs. Emminger said it was nearer to the driveway, but that does not change the Department's position. Chairman Finaldi said there have been previous situations where the City leases land but it is never for school property. Ms. Hoffstaetter said the school property should be reserved to meet the needs of the students. Mrs. Emminger said she had received an email from Mr. Urice on this matter. Chairman Finaldi read it into the record. Ms. Hoffstaetter then made a motion to give this a negative

recommendation because school property should be retained for school related uses. Mr. Chiochio seconded the motion and it was passed unanimously.

ZBA Referral/Application #13-43 – Andrew & Catherine Moore as Tenants, 51 Padanaram Rd. (#H09075), Use Variance to Sec. 5.E.2.a. in acc. w/Sec. 9.C.1.a., to allow ice cream shop in former dairy store. (CN-20 Zone) Previous use Variance application to change to Driving School approved in January 2013, but never happened.

Mrs. Emminger said this application was acted on by the Zoning Board of Appeals at their meeting held last week.

NEW BUSINESS

Perosphere Inc. – Application for Floodplain Permit – 20 Kenosia Ave. (#E16030) – SP #13-11.

Mrs. Emminger asked if they could move this to Old Business as it is ready to be acted upon. Mr. Ferguson made a motion to move this to the Old Business on tonight's agenda. Ms. Hoffstaetter seconded the motion and it was passed unanimously.

Peregrine Acquisition Partners LLC/CRD, LLC – Application for Revised Special Exception/Revised Site Plan Approval for uses generating over 500 vehicle trips per day (Grocery Store, Package Store, Retail & Office), "Mill Plain Plaza" – 102 Mill Plain Rd. (#C14014) – SE #535. Public hearing scheduled for December 4, 2013.

Chairman Finaldi noted that this public hearing would be opened at the next regular meeting.

OLD BUSINESS FOR CONSIDERATION AND POSSIBLE ACTION

Perosphere Inc. – Application for Floodplain Permit – 20 Kenosia Ave. (#E16030) – SP #13-11.

Mrs. Emminger distributed a draft resolution for this saying that she had approved site plan this afternoon. She said there is no change in use; they are just adding a generator. She said almost the entire property is located in the floodplain and is below the base flood elevation, so anything put on the back of the property will flood. Based on this, they are proposing to construct a steel pier system and put a platform on that. Mrs. Emminger said this is in an un-numbered A zone, so we use an established elevation. It used to be 455.4 ft. but two years ago the datum was changed to 454.4 ft. This is the elevation at which we know it to flood, so we require them to build it at or above the base flood elevation. Ms. Hoffstaetter asked what elevation they will be building at. Mrs. Emminger said it will be 5 ft. above the base flood elevation. Ms. Hoffstaetter then asked what happens if it floods. Mrs. Emminger

said since it is an industrial building; it is not likely that anyone will be in the building. She added that Building Code may require it to be at an even higher elevation because it is much more stringent. Mr. Chiocchio made a motion to approve this per the resolution. Mr. Ferguson seconded the motion and it was passed unanimously.

Chairman Finaldi said the 2014 meeting schedule was listed under Other Matters and under For Reference Only was a floodplain permit.

At 8:25 PM, Mr. Ferguson made a motion to adjourn. Mr. Chiocchio seconded the motion and it was passed unanimously.